

**REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application and the interview conducted on January 29, 2009 between Examiners, Frantz Jules and Azim Rahim, and counsel for Applicant, Seongyoune Kang. The application has been carefully reviewed in light of the Office Action and the interview, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

Reconsideration of the subject patent application in view of the present remarks is respectfully requested.

***Claim Rejections – 35 USC § 102***

Claims 1-7 was rejected under 35 U.S.C. 102(b) as being anticipated by the '198 patent (U.S. Patent No. 2,728,198 to Schumacher). For at least the following reasons, the Examiner's rejection is respectfully traversed.

With regard to claim 1, the Office action asserts that the '198 patent teaches an "absorption refrigerator" and that Applicant is arguing language from the specification that is not in the claims. The '198 patent teaches a motor-compressor unit, a condenser 8, and evaporators 9 as conventional refrigerators do. However, the claimed "absorption refrigerator" does not rely on a compressor in its refrigeration process but is rather powered by a heating means such as a boiler (see p. 9, lns. 1-3). Although the term 'refrigerator' may appear to include all types of refrigerators, the term is commonly associated with a refrigerating system that uses a compressor, an evaporator and a condenser. It is true that an "absorption refrigerator" is a type of refrigerator but an "absorption refrigerator" does not have the common components that we commonly associate with 'a refrigerator.' Even if the specific components of an "absorption refrigerator" are not recited in claim 1, a person of ordinary skill in the art can tell that an

“absorption refrigerator” does not have the components commonly associated with a conventional ‘refrigerator’ and the limitation “absorption refrigerator” is sufficient to distinguish the claimed subject matter from references such as the ‘198 patent. In fact, an “absorption refrigerator” is well-known in the art as illustrated by U.S. Patent No. 2,363,385 to Bixler which Applicant cited in the Information Disclosure Statement filed on December 22, 2005. The argument that Applicant is arguing language from the specification that is not in the claims is akin to rejecting a claim covering a refrigerator because it does not recite a compressor, a condenser and an evaporator.

New claim 9 is directed to the particular refrigeration components and is supported in the specification on p. 9, lns. 1-3. New claim 10 is directed to the connection between the evaporator tube and these refrigeration components and is supported in p. 10, lns. 1-3 and p. 11, lns. 9-17.

Claim 1 has been amended in light of an agreement reached during the interview. It was agreed that the amended limitations “within the evaporator tube, the first tube section is arranged upstream of the second tube section” and “within the evaporator tube, the third tube section (23) is arranged downstream of said first tube section (21) and upstream of said second tube section (22)” would distinguish the claimed subject matter from the ‘198 patent. The Office action asserted that the low temperature evaporator 10 can be considered as being upstream of the high temperature evaporator 9 because, in the refrigerant loop, the refrigerant flow can start at the low temperature evaporator 10, go through the suction line 13, the compressor 7 and the condenser 8, and reach a high temperature evaporator (9) that is relatively ‘downstream.’ By reciting that the “upstream” and “downstream” relationship is limited to the evaporator tube, such an argument cannot be made and the claimed subject matter is distinguished from the ‘198 patent.

Since each and every limitation of base claim 1 and claims depending therefrom is not disclosed, the rejection must be withdrawn.

***Claim Rejections – 35 USC § 103***

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over the '198 patent and further in view of the '862 patent (U.S. Patent No. 3,803,862 to Schumacher).

The rejection is overcome by the amendment to claim 1 and must be withdrawn.

***Conclusion***

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. WDOK-39335.

Respectfully submitted,  
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Date: January 30, 2009